

321.211A Appeal of extended suspension or revocation.

Notwithstanding any provision of law to the contrary, if a person was not served with notice of a suspension or revocation under [section 321.16](#), or [section 321J.9, subsection 4](#), or [section 321J.12, subsection 3](#), the person may appeal to the department an extension of the period of suspension or revocation based upon a conviction under [section 321.218](#) or [321J.21](#). At the hearing on the appeal, the sole issue shall be whether the department failed to send notice of the underlying suspension or revocation to the person at the address contained in the department's records. If the department determines it failed to send such notice, the department shall rescind the extended suspension or revocation resulting from the conviction and send notice of the department's determination to the court that rendered the conviction. Upon receipt of the notice, the court shall enter an order exonerating the person of the conviction and ordering that the record of the conviction be expunged by the clerk of the district court.

[2001 Acts, ch 32, §45](#)